

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RONALD KOSMICKI,	)	
	)	
Plaintiff,	)	4:12CV3230
	)	
V.	)	
	)	
CORNHUSKER AUTOPLEX, Inc.,	)	ORDER
and CORNHUSKER MOTORS, Inc.,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the Court on Plaintiff's motion for appointment of counsel ([filing 18](#)) and Plaintiff's request that his witnesses be protected against retaliation from Defendants, the witnesses' current employers ([filing 17](#)).

Plaintiff is proceeding pro se in this matter. In [Davis v. Scott, 94 F.3d 444, 447 \(8th Cir. 1996\)](#), the Eighth Circuit Court of Appeals explained that "[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel . . . The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel . . ." *Id.* (quotation and citation omitted). No such benefit is apparent here. Accordingly, the request for the appointment of counsel will be denied.

Plaintiff's request for witness protection will also be denied. Plaintiff has not identified any specific witness in need of protection, nor has he shown that any witness has been retaliated against by Defendants, or is in danger of retaliation.

**IT IS ORDERED** that Plaintiff's motion for appointment of counsel ([filing 18](#)) and motion for witness protection ([filing 17](#)) are denied.

**DATED September 11, 2013.**

**BY THE COURT:**

**S/ F.A. Gossett**  
**United States Magistrate Judge**